

United States District Court  
for the  
Southern District of Texas

UNITED STATES OF AMERICA )  
V. )  
Robert Lee WILKES Jr ) Case Number:  
Greensboro, NC )  
)

**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 31, 2021 in the county of Webb in the  
(Date) District of Texas, the defendant(s) violated:

| <i>Code Section</i>                         | <i>Offense Description</i>   |
|---|--|
| Title 8 United States Code, Section<br>1324 | <b>Knowing and in reckless disregard of the fact that a certain alien had come to, entered, and remained in the United States in violation of law, did transport and move, attempt to transport and move, and conspire to transport and move such alien within the United States, by means of transportation and otherwise, in furtherance of such violation of law.</b> |

This criminal complaint is based on these facts:

See attachment "A".

Continued on the attached sheet.

/s/Rose Rojas  
Complainant's Signature

Rose Rojas, Special Agent  
Printed Name and Title

Sworn to before me and signed in my presence,

Date: November 2, 2021

Judge's Signature

City and State: Laredo, Texas

Christopher Dos Santos, U.S. Magistrate Judge  
Printed Name and Title

UNITED STATES OF AMERICA

V.

**Robert Lee WILKES Jr**

1. On October 31, 2021, at approximately 12:35 p.m., Border Patrol Agents (BPAs) were working the primary inspection lane at the United States Border Patrol (USBP) Checkpoint near the 29-mile marker of IH-35 north of Laredo, Texas. A BPA was working the primary immigration inspection lane when a white tractor hauling a white trailer approached. The driver was looking straight forward and did not stop, ignoring BPAs attempts to get his attention. BPAs yelled, and the driver, later identified as Robert Lee WILKES Jr, a United States Citizen, finally stopped. At that time, a BPA canine handler had the service canine conduct a free air sniff around the perimeter of the trailer. The BPA canine began alerting, and WILKES Jr was asked what he was hauling. WILKES Jr would not make eye contact, and finally stated he was hauling potatoes.
2. WILKES Jr was asked if he would consent to an X-Ray scan, and WILKES Jr stated, "yes". WILKES Jr passed through the scanner and BPAs noticed anomalies appearing to be concealed humans in the trailer. BPAs inspected the inside of the trailer, and seventy-eight (78) people, including two (2) juveniles aged eleven (11) and seventeen (17) were located. The reefer of the trailer was on, and the thermostat was set to zero (0) degrees Fahrenheit, while the actual temperature measured thirty-five (35) degrees Fahrenheit. There were no potatoes or legitimate cargo inside of the trailer WILKES Jr was hauling; only people. An immigration inspection was conducted, and all individuals were determined to be undocumented non-citizens (UDNCs) illegally present in the United States. BPAs contacted Homeland Security Investigations (HSI) Special Agents (SAs) for investigative assistance with the case.
3. HSI SAs responded to the United States Border Patrol (USBP) Checkpoint near the 29-mile marker of IH-35 north of Laredo, Texas and conducted post-arrest interviews. HSI SAs collected biographical information from WILKES Jr. WILKES Jr provided his name, address, telephone number, and stated he was a truck driver for twenty (20) years. WILKES Jr has a commercial driver's license (CDL) from the state of North Carolina. WILKES Jr was then advised WILKES Jr of his Miranda warnings, to which he declined to provide HSI SAs with a statement.
4. Juan HERNANDEZ-Rosas, Eliut Yair ARROYO-Gonzalez, Daniel SANCHEZ, and Erick SANCHEZ are all Mexican nationals and admitted to illegally entering the United States by crossing the Rio Grande River, at various times, to be smuggled to various cities within the United States, for various amounts of money and will be held as material witnesses in this case.

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